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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/564,499

07/14/2006

Laurent Blonde

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Robert D. Shedd, Patent Operations
THOMSON Licensing LLC
P.O. Box 5312
Princeton, NJ 08543-5312

EXAMINER

HOWARD, RYAN D

ART UNIT

PAPER NUMBER

2878

MAIL DATE

DELIVERY MODE

09/14/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/564,499	Applicant(s) BLONDE ET AL.	
	Examiner RYAN HOWARD	Art Unit 2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9, 12 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 and 14 is/are allowed.
- 6) ☒ Claim(s) 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2010 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Acknowledgement made of amendment filed 6/30/2010.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Morgan (US 6,567,134 B1).

Regarding claim 9, Morgan teaches means of reception (502, figure 5) of a video signal;

means of periodic generation of successive coloured beams (M-R, Y-G, C-B, figure 7) taking successively at each period a plurality of determined primary colours (the optical mixture of M-R, Y-G and C-B respectively); and

A means of modulation of each of said coloured beams (600, figure 6) for generating during a determined duration an image to be displayed in each of said determined primary colours (column 6 lines 1-4) as a function of the received video signal,

Means for modifying the determined primary colours by varying the duration of at least one of the distinct colours taken by each of the coloured beams (column 8 – column 9, tables 1 and 2; and specifically column 9 lines 11-13); and

Means of determination of the hue (column 5 lines 54-58) of at least one of said primary colours as a function of the received video signal (column 10 lines 6-25 and 54-61);

Wherein each of said determined primary colours is obtained as a result of at least two distinct colours (M-R; Y-G; C-B) taken successively by the colour beam during the determined duration of modulation of the coloured beam for generating an image in the primary color (column 5 lines 10-21).

Response to Arguments

4. Applicant's arguments filed 6/30/2010 have been fully considered but they are not persuasive.

Regarding Applicant's arguments with respect to claim 9, that Morgan does not teach, “any variation of the respective durations of each segment of the color wheel during the display of images as taught and claimed by the Applicants (page 11 paragraph 3 – page 12 paragraph 1: Applicant's arguments), examiner respectfully disagrees. The variation in duration is taught by tables 1 and 2, see above rejection of claim 9, wherein column 9 states that the amount of secondary color boost is determined by white content and the intensity of the pixel which and the tables show different values for each color which means it is variable.

Regarding Applicant's arguments (page 12 paragraph 2) that, "Morgan does not disclose means of determination of the hue of at least one of said primary colours as a function of the received video signal," Examiner respectfully disagrees. See Morgan column 5 lines 54-58.

Allowable Subject Matter

5. Claims 12 and 14 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 12, Prior art does not teach a first coloured wheel and a second coloured wheel successively traversed by a luminous beam, each coloured wheel carrying a plurality of coloured filtering sectors and being driven with a substantially identical angular speed and wherein each of said determined primary colours is obtained as a result of at least two distinct colours taken successively by the colour beam during the determined duration.

Regarding claim 14, Prior art does not teach the means of periodic generation of successive coloured beams comprises a first and a second identical coloured wheel successively traversed by a luminous beam, each coloured wheel carrying at least three coloured filtering sectors of respective colours yellow, magenta and cyan and being driven with in rotation.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN HOWARD whose telephone number is (571)270-5358. The examiner can normally be reached on Monday-Friday 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, GEORGIA EPPS can be reached on (571)272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2878

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/RYAN HOWARD/
Examiner, Art Unit 2878
9/11/2010

/Georgia Y Epps/
Supervisory Patent Examiner, Art Unit 2878